

## **REMARKS**

### **Election/ Restrictions**

In paragraph 1 of the Office Action the Examiner acknowledged Applicant's election with traverse. The Examiner, however, stated that the restriction requirement is, "deemed proper and is therefore made FINAL."

In explaining her decision the Examiner stated, "Species A is directed to claims 1-7 and 9-10 and species B is directed to Claim 8." However, the Examiner did not refer to species C and D which were also discussed in her restriction requirement. In traversing the restriction requirement the Applicants had stated:

Applicants respectfully request the Examiner to withdraw the restriction to Species C and D. Similarly the Examiner is requested to identify Species A and B to claims, not to figures.

In the present Office Action the Examiner has not mentioned Species C or D. Accordingly, the Applicants assume that the Examiner has withdrawn her restriction requirement concerning Species C and D. Also, in the present Office Action the Examiner has not mentioned her original characterization of Species A being directed to Figures 3-17 and Species B being directed to Figures 19-25. Accordingly the Applicants assume that the Examiner has withdrawn her restriction requirements concerning Species A and B to the extent the requirements refer to figures.

### **Claim Objections**

In paragraph 2 of the Office action the Examiner objected to Claim 9 stating that, on line 4, "of" should be inserted after "floor". Applicants have made this amendment.

### **Claim Rejections – 35 USC §102**

In paragraph 4 of the Office action the Examiner rejected Claim 7 under 35 USC §102 as being anticipated by Mowatt-Larssen et al. In response to the rejection the Applicants canceled Claim 7.

Claim Rejections – 35 USC §103Claims 1-6

In paragraph 7 of the Office Action the Examiner rejected Claims 1-6 under 35 USC §103(a) as being unpatentable over Mowatt-Larssen et al. (3,971,491), French (4,745,952) and Willis et al. (6,522,025).

The Applicants have amended Claim 1 to overcome the Examiner's rejection. Claim 1 as amended includes first pedestal means affixed to the deck of the first end of said movable transportation device, and the first pedestal means comprises a plurality of deck slot pedestals and a plurality of end stops. On the other hand, none of the references cited by the Examiner teach or suggest such a claimed first pedestal means. In Applicants' disclosed embodiment the deck slot pedestals are items 59 which are shown e.g. in figures 5-8, and the end stops are items 62 shown e.g. in figures 5 and 9-11. In contrast, no comparable structures are taught or suggested in the cited references.

Claims 9-10

In paragraph 8 of the Office Action the Examiner rejected Claims 9-10 under 35 USC §103(a) as being unpatentable over Mowatt-Larssen et al. (3,971,491), French (4,745,952) and Willis et al. (6,522,025).

Regarding Claim 9 the Examiner stated, "French (4,745,952) discloses a system for transporting tank containers, the system comprising: . . . d) end stop means (Figure 2) affixed to the floor of the first end of said vehicle car; e) a first bracket connected to said first deck slot pedestal means, said first bracket being constrained from lateral motion by said end stop means. . . ." The Applicants respectfully disagree with the Examiner's rejection and her analysis.

The disclosed embodiment of Applicants' end stop is shown in Figures 9-11 and discussed e.g. at [0018]. The disclosed embodiment of Applicants' bracket is shown in Figures 12-15 and discussed e.g. at [0019]. In the disclosed embodiment, and as illustrated in Figures 15 and 16, Applicants' bracket 82 is bolted to flange 15 at the end of the tower section 50, and end stop 62 cooperates with Applicants' bracket 82 to restrain the movement of the tower section 50. On the other hand, nowhere in French, including French's Figure 2, referred to by the Examiner, can Applicants discern an end stop or similar structure. Moreover, nowhere in French can Applicants discern a bracket or similar structure. Accordingly Applicants' Claim 9 should be allowable.

Claim 11

In paragraph 9 of the Office Action the Examiner rejected Claim 11 under 35 USC §103(a) as being unpatentable over WO '523 in view of Mowatt-Larssen et al. (3,971,491) and French (4,745,952).

The Examiner stated,

WO'523 discloses the process for transporting wind turbine sections on vehicle car, the process comprising: a. partially disassembling the wind turbine into three types of components, nacelles, blades and tower sections; b. storing the blades in cargo containers suitable for use in multi-mode transportation; c. inherently mounting nacelles on transport structures.

The Applicants respectfully disagree with Examiner. Applicants fail to understand the Examiner's assertion that mounting nacelles on transport structures is "inherent", and the Examiner is respectfully requested to provide further explanation. There is nothing in WO '523 which teaches or suggests mounting nacelles on transport structures. Therefore Applicants' claim 11 is not obvious.

Furthermore, the Examiner acknowledges that, "WO' 523 lacks the step of affixing brackets to tower sections." The Examiner asserts, "It would have been obvious to have provided the brackets as taught by French upon the tower sections in order to provide easier transport of these items." The Applicants respectfully disagree. In fact WO '523 teaches that tower sections should be packed just as the blades are packed, i.e. in packages 5 and 16. (This can be seen from e.g. the Abstract, page 1, lines 4-7 and page 3 lines 5-15. ) Accordingly, WO '523 in fact teaches away from affixing brackets to tower sections. Thus Applicants' Claim 11 should be patentable.

New Claims

Applicants have added new claims 12-31. Claims 12 and 21 are independent; Claims 13-20 are dependent from Claim 12; Claims 22-27 are dependent from Claim 21; and Claims 28-31 are dependent from Claim 11.

Basis for Claims 12-20 can be found, e.g. in Figures 12-16 and paragraphs [0019] – [0021]. Basis for Claims 21-27 can be found, e.g. in Figures 3-5 and paragraphs [0014] – [0015]. Basis for Claims 28-31 can be found, e.g. in Figures 5-9 and 19a and paragraph [0026].

Claim 12 includes a bracket constructed to be temporarily connected to a flange of the wind turbine tower section. On the other hand, none of the cited references teach or suggest such a bracket. Accordingly Claims 12-20 are patentable over the cited art.

Claim 21 includes a second type of mounting system comprising four pedestals. On the other hand, none of the cited references teach or suggest such a mounting system. Accordingly, Claims 21-27 are patentable over the cited art.


Claims 28-31 are dependent from Claim 11, which as discussed above is patentable, and therefore Claims 28-31 are patentable for at least the same reasons as Claim 11.

In view of the foregoing, consideration and an early allowance of this application are earnestly solicited.

Respectfully submitted,

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